



# UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/986,479	11/08/2001	Matt Pearson	12222-US

23553  
MARKS AND CLERK  
P O BOX 957, STATION B  
55 METCALFE STREET, SUITE 1380  
OTTAWA, ON K1P5S7  
CANADA

**CONFIRMATION NO. 5543**

**FORMALITIES LETTER**



\*OC00000007125620\*

Date Mailed: 11/27/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

FILED UNDER 37 CFR 1.53(b)

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

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*A copy of this notice **MUST** be returned with the reply.*

*B71*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE

01/29/2002 JADD01 00000060 09986479  
01 FC:205 65.00 OP

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
**12222-US**

In Re Application Of: **Matt Pearson et al.**

Serial No.	Filing Date	Examiner	Group Art Unit
<b>09/986,479</b>	<b>11/08/01</b>		<b>2633</b>

Invention:

**OPTICAL PERFORMANCE MONITOR**



**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

**Box Missing Parts**

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on

11/27/01  
Date

Enclosed herewith for filing are the following:

- A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- \_\_\_\_\_ verified small entity declaration(s)
  - is/are attached.
  - was/were filed on \_\_\_\_\_
- A separate request for refund.
- Other (list):  
\_\_\_\_\_

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
**12222-US**

In Re Application Of: **Matt Pearson et al.**

Serial No. <b>09/986,479</b>	Filing Date <b>11/08/01</b>	Examiner	Group Art Unit <b>2633</b>
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Invention:

**OPTICAL PERFORMANCE MONITOR**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

Attention: Manager, Application Branch

Completion of application fees as calculated below:

Utility application filing fee \_\_\_\_\_

Design application filing fee \_\_\_\_\_

Total number of independent claims = \_\_\_\_\_

Total number of claims = \_\_\_\_\_

Multiple dependent claims \_\_\_\_\_

Surcharge for late payment of filing fee and/or late filing of original declaration or oath **\$65.00** \_\_\_\_\_

Petition and fee for filing by other than all the inventors or a person not the inventor \_\_\_\_\_

Fee for processing an application filed with a non-English language specification \_\_\_\_\_

Fee for processing and retention of application \_\_\_\_\_

Total completion of application fees **\$65.00** \_\_\_\_\_

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

One month       Two months       Three months       Four months       Five months

from: \_\_\_\_\_

until: \_\_\_\_\_

*Date*

*Date*

Total time extension fees \_\_\_\_\_

Total fees due **\$65.00** \_\_\_\_\_

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.  
**12222-US**

In Re Application Of: **Matt Pearson et al.**

Serial No.  
**09/986,479**

Filing Date  
**11/08/01**

Examiner

Group Art Unit  
**2633**

Invention:

**OPTICAL PERFORMANCE MONITOR**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

**Attention: Manager, Application Branch**

The fee of **\$65.00** is to be paid as follows:

- A check in the amount of the fee is enclosed.
- The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No.   
A duplicate copy of this sheet is enclosed.
- If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No.   
A duplicate copy of this sheet is enclosed.



*Signature*

Dated: **January 24, 2002**

**Richard J. Mitchell  
34,519**

**Marks & Clerk  
P.O. Box 957, Station B  
Ottawa, ON, K1P 5S7  
CANADA**

I certify that this document and fee is being deposited on **January 24, 2002** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

*Signature of Person Mailing Correspondence*

*Typed or Printed Name of Person Mailing Correspondence*

CC:

*m* #3 Sector 4

**TRANSMITTAL LETTER  
(General - Patent Pending)**

Docket No.  
12222-US

In Re Application Of: Matt Pearson et al.

Serial No.  
09/986,479

Filing Date  
11/08/01

Examiner

Group Art Unit  
2633

Title:

**OPTICAL PERFORMANCE MONITOR**

**TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:**

Transmitted herewith is:

- Response to Notice to File Missing Parts of Nonprovisional Application
- Copy of Notice to File Missing Parts of Nonprovisional Application
- Declaration and Power of Attorney
- Cheque in the amount of \$65.00

in the above identified application.

- No additional fee is required.
- A check in the amount of \$65.00 is attached.
- The Commissioner is hereby authorized to charge and credit Deposit Account No. 13-1717 as described below. A duplicate copy of this sheet is enclosed.
- Charge the amount of
- Credit any overpayment.
- Charge any additional fee required.

  
*Richard J. Mitchell*  
Signature

Dated: January 24, 2002

**Richard J. Mitchell**  
34,519

**Marks & Clerk**  
P.O. Box 957, Station B  
Ottawa, ON, K1P 5S7  
CANADA

CC:

I certify that this document and fee is being deposited on with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

*Signature of Person Mailing Correspondence*

*Typed or Printed Name of Person Mailing Correspondence*